

UNITED STATES DISTRICT COURT
DISTRICT OF WYOMING

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING

PETITION FOR WARRANT FOR OFFENDER UNDER SUPERVISION

DEC 11 2009

Stephan Harris, Clerk
Casper

Name of Offender: Daniel Ray Underwood Case Number: 07CR104-01B
Name of Sentencing Judicial Officer: Clarence A. Brimmer
Date of Original Sentence: August 31, 2007
Original Offenses: Felon in Possession of a Firearm
Original Sentence: 18 months custody/3 years supervised release
Type of Supervision: Supervised Release
Date Supervision Commenced: January 14, 2009
Assistant U.S. Attorney: Stephanie I. Sprecher
Defense Attorney: Daniel G. Blythe

PETITIONING THE COURT

- ☒ To issue a no bail warrant for the offender's arrest
☐ To issue a summons

The Probation Officer believes that the offender has violated the following condition of supervision:

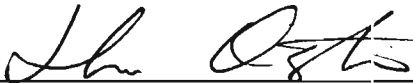
(See attached sheet)

U.S. Probation Officer Recommendation:

- ☒ The term of supervision should be revoked.
☐ Extended for ___ years, for a total term of ___ years.
☐ The conditions of supervision should be modified as follows:

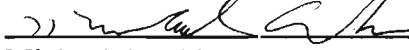
I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted,




Joshua Oster
U.S. Probation Officer

December 11, 2009
Date

Approved by: 
Michael A. Akers
Supervising U.S. Probation Officer

THE COURT ORDERS:

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons


for Clarence A. Brimmer
U.S. District Judge

Dec 11, 2009
Date

Daniel Underwood
Petition for Warrant for Offender Under Supervision

07CR-104-01B

Violation No. 1- Mandatory Condition

The defendant shall not use or possess a firearm, ammunition, dangerous weapons or destructive device. Supervised release shall be revoked for possession of firearm.

Nature of Noncompliance

On December 4, 2009, the defendant was found in possession of a firearm by the Crook County Sheriff's Office. A Remington 5mm Model 592M-Serial Number 1020520.

U.S. Probation Officer's Action

A Petition for Warrant for Offender Under Supervision is presented to the Court and a Warrant is requested.

Violation No. 2- Special Condition

The defendant shall not use or possess alcohol, nor shall he enter establishment deriving their primary income from the sale of alcohol.

Nature of Noncompliance

On December 4, 2009, the defendant was found in possession of alcohol by an officer of the Crook County Sheriff's Office.

U.S. Probation Officer's Action

A Petition for Warrant for Offender Under Supervision is presented to the Court and a Warrant is requested.

Penalties for Supervised Release Violation:

Statutory Penalties: According to 18 U.S.C. 3583(e)(3), the Court may revoke a term of supervised release and require the person to serve in prison all or part of the term of supervised release authorized by statute for the offense that resulted in such term of supervised release without credit for time previously served on post-release supervision. A defendant whose term is revoked may not be required to serve more than five years in prison if such offense is a Class A felony.

Guideline Penalties: In the case of revocation of supervised release, the applicable term of imprisonment is found in the Sentencing Guideline Table under 7B1.4(a)(2). This section states that for Grade A Violations with a Criminal History Category of VI, and where the defendant was on supervised release as a result of a sentence for a Class A felony, the applicable imprisonment range is 51 to 63 months.